

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

NANCY GARWOOD,
Plaintiff,

v.

ASTORIA COMPANY, LLC,
Defendant.

Case No. [22-mc-80148-DMR](#)

ORDER TO SHOW CAUSE

Re: Dkt. No. 1

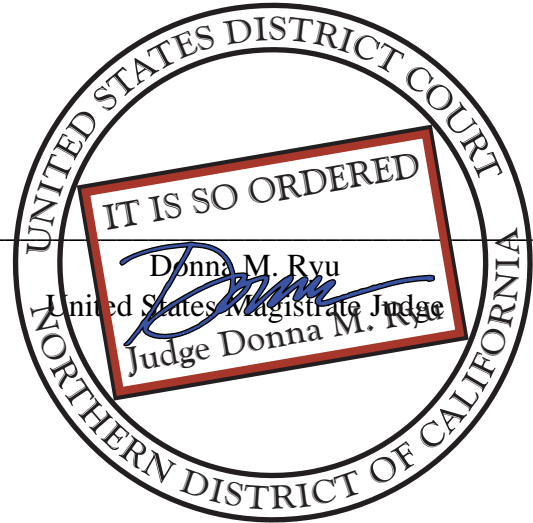
The court has reviewed Plaintiff Nancy Garwood’s motion to compel third party Astoria Company, LLC to comply with a subpoena Garwood issued in connection with litigation pending in the United States District Court for the Middle District of Florida. [Docket No. 1.]

The appropriate forum for a motion to enforce a subpoena is in the district where compliance is required. *See* Fed. R. Civ. P. 45(d)(2)(B)(i) (“the serving party may move the court for the district where compliance is required for an order compelling production or inspection”); (g) (“[t]he court for the district where compliance is required . . . may hold in contempt a person who, having been served, fails without adequate excuse to obey the subpoena or an order related to it.”). The subpoena was issued from the Middle District of Florida and commanded compliance “directly to [counsel that signed the subpoena] electronically.” [Docket No. 1-1.] Counsel is located in Coral Gables, Florida. *See id.* The motion to compel does not specify the location of Astoria Company, LLC or otherwise address whether the Northern District of California is “the district where compliance is required.” Accordingly, it is not clear whether the court has jurisdiction to enforce the subpoena. By no later than June 30, 2022, Plaintiff shall show cause why the motion to compel should not be denied without prejudice to filing the motion in “the district where compliance is required.”

Plaintiff shall immediately serve this Order on Respondent Astoria Company, LLC and file proof of service. Plaintiff shall also serve its response to the Order on Respondent and file proof of service.

IT IS SO ORDERED.

Dated: June 23, 2022



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Northern District of California